

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1693 of 2017

Arising Out of PS.Case No. -101 Year- 2017 Thana -MAJORGANJ District- SITAMARHI

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1. Raju Mahto @ Rajdeo Mahto Son of Jagarnath Mahto, Resident of
Village- Ambar Khurd, P.S. Mejorganj, District- Sitamarhi.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ashok Kumar Jha

For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 14-07-2017 The appellant seeks regular bail in connection with

Mejorganj P.S.Case No.101 of 2017 registered for offences

punishable under Section 341,323, 307 and 504 of the Indian

Penal Code and Section 3(i)(s), 3(2)(v) of SC/ST (POA) Act.

Allegation against the petitioner is of assaulting the
informant by ‘Garasa’, however, it is submitted on behalf of the
appellant that the present case is false and concocted, which will
appear from the fact that there is allegation of assault by ‘Garasa’
but the injuries are simple in nature and the appellant is in custody
for about four months.

Heard learned Special P.P. also, who has opposed the
prayer for bail.

Having heard both sides in view of the above facts and



circumstances, this appeal is allowed.

Let the appellant above named, be released on bail on furnishing bail bonds of Rs.25,000 (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Ist Additional Sessions Judge-cum-Special Judge (SC/ST) Sitamarh in connection with Mejorganj P.S.Case No.101 of 2017, after setting aside order dated 17.5.2017 passed by the learned Ist Additional Sessions Judge-cum-Special Judge (SC/ST) Sitamarh in Mejorganj P.S.Case No.101 of 2017, subject to the following conditions:-

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant will not induce any witness or tamper with the evidence.
- (iii) The appellant shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution will be free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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